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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,192	12/12/2000	Kazuhiko Tomita	1344.1051/JDH	4249
21171	7590	10/22/2003	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			WINTER, JOHN M	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/734,192

Applicant(s)

TOMITA, KAZUHIKO

Examiner

John M Winter

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13,14 and 16 is/are allowed.
- 6) ☒ Claim(s) 1-12 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### Status

Claims 1-12 remain pending.

Claims 13-16 have been appended.

### *Response to Arguments*

The applicant's arguments filed on July 28, 2003 have been fully considered but are not persuasive.

Claims 1-3, 5-7 and 9-10

The applicant states that the registration function to register results of authorization in the present invention is different from the method disclosed in Abbruzzese et al., because the applicants process is comprised of an object composed of a users work product requests authorization as disclosed on page 2 of the present specification.

The examiner replies that as per In re Van Geuns, 26 USPQ2d 1057 (CA CF 1993) "Although claims are interpreted in light of the specification, limitations from the specification are not read into the claims" The Examiner submits that the claimed feature of "an object requesting authorization is to be authorized or repudiated;an authorization result reference function of making a reference to the past results of authorization registered in the database for each object requesting authorization and for each person requesting authorization." Is disclosed by the Abbruzzese et al. reference.

The Applicant further submits that the Abbruzzese et al. does not provide detaild descriptions of previous authorization attempts, such as typographical errors, however the Examiner submits that nowhere in the claimed invention does it mention logging typographic error, errors in calculation etc.. the claimed invention states " authorization result registration function registers, in the database, said result of authorization or repudiation for said object requesting authorization, and repudiation reasons when the repudiation is rendered." The examiner submits that Abbruzzese et al. process of logging unsuccessful attempts to log into the system meets the requirements of this claim.

See following rejection.

Claims 4, 8 and 10

The Applicant states that the prior art reference Abbruzzese et al. does not disclose the feature of generating a ratio of the number of times a certain error has been made, with user specific information.

The Examiner states that this feature is disclosed by the newly discovered reference Gerace, (US Patent 5,848,396)

The applicant states that Abbruzzese et al. does not disclose the amended feature of "an authorization result registration function of registering a result of authorization in a database when an object requesting authorization of an electronically processed document"

The Examiner states that this feature is disclosed by Abbruzzese et al.,(Column 139, lines 55-67, column 140 lines 1-10).

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Claim 12

The Examiner further states the Abbruzzese et al., reference fairly discloses the feature of "the security level means for selectively limiting access to predetermined functions of the system" by allowing or denying entry into the system. The Examiner notes however that this is not a claimed feature of claim 12..

See following rejection.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5-7, 9-10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbruzzese et al., (US Patent No 5,557,515).

As per claim 1,

Abbruzzese et al ('515) discloses A computer readable recording medium recorded with an electronic authorization program, for realizing on a computer:

an authorization result registration function of registering a result of authorization in a database when an electronically processed document is to be authorized or repudiated;(Column 15, lines 56-67; column 16 lines 1-15, also Column 139, lines 55-67, column 140 lines 1-10)

an authorization result reference function of making a reference to the past results of authorization registered in the database for each electronically processed document and for each person requesting authorization.(Column 16 lines 7-11, also Column 139, lines 55-67, column 140 lines 1-10)

It would be obvious to one skilled in the art at the time of the invention that the document would be electronically processed because this is a efficient and inexpensive mode of providing data to clients.

As per claim 2,

Abbruzzese et al ('515) discloses a computer readable recording medium recorded with an electronic authorization program according to claim 1,

wherein said authorization result registration function registers, in the database, said result of authorization or repudiation for said electronically processed document, and repudiation reasons when the repudiation is rendered.(Column 15, lines 56-67; column 16 lines 1-15)

As per claim 3,

Abbruzzese et al ('515) a computer readable recording medium recorded with an electronic authorization program according to claim 2,

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wherein said authorization result reference function makes a reference to accumulated number of cases of authorization or repudiation electronically processed document and accumulated number of cases of the repudiated reasons within a predetermined term concerning the past results of authorization registered in the database.(Column 15, lines 56-67; column 16 lines 1-15)

As per claim 5,

Abbruzzese et al ('515) discloses an electronically authorizing device comprising: authorization result registration means for registering a result of authorization in a database when an electronically processed document is to be authorized or repudiated;(Column 15, lines 56-67; column 16 lines 1-15)

authorization result reference means for making a reference to the past results of authorization registered in the database for each electronically processed document and for each person requesting authorization.(Column 16 lines 7-11)

As per claim 6,

Abbruzzese et al ('515) discloses an electronically authorizing device according to claim 5,

wherein said authorization result registration means registers, in the database, the result of authorization or repudiation for the electronically processed document, and repudiation reasons when the repudiation is rendered.(Column 15, lines 56-67; column 16 lines 1-15)

As per claim 7,

Abbruzzese et al ('515) discloses an electronically authorizing device according to claim 6,

wherein said authorization result reference means makes a reference to accumulated number of cases of authorization or repudiation of said electronically processed document and accumulated number of cases of the repudiated reasons within a predetermined term concerning the past results of authorization registered in the database.(Column 15, lines 56-67; column 16 lines 1-15)

As per claim 9,

Abbruzzese et al ('515) discloses an electronically authorizing method comprising: an authorization result registration process of registering a result of authorization in a database when an electronically processed document is to be authorized or repudiated; (Column 15, lines 56-67; column 16 lines 1-15)

an authorization result reference process of making a reference to the past results of authorization registered in the database for each electronically processed document and for each person requesting authorization.(Column 16 lines 7-11)

As per claim 10,

Abbruzzese et al ('515) discloses an electronically authorizing method according to claim 9,

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wherein said authorization result registration process registers, in the database, a repudiation for the object requesting of repudiation of said electronically processed document when the repudiation is result of authorization or authorization, and reasons rendered.(Column 15, lines 56-67; column 16 lines 1-15)

As per claim 11,

Abbruzzese et al ('515) discloses electronically authorizing method according to claim 10, wherein said authorization result reference process makes a reference to accumulated number of cases of authorization or repudiation and accumulated number of cases of the repudiation of said electronically processed document reasons within a predetermined term concerning the past results of authorization registered in the database.(Column 15, lines 56-67; column 16 lines 1-15)

As per claim 15,

Abbruzzese et al ('515) discloses a method of authorizing an electronically processed task, comprising

authorization result registration means for registering a result of authorization in a database when an electronically processed task is to be authorized or repudiated;(Column 15, lines 56-67; column 16 lines 1-15)

referencing the past results of authorization registered in the database for each electronically processed task and for each person requesting authorization.(Column 15, lines 56-67; column 16 lines 1-15)

accumulated number of cases of authorization or repudiation and accumulated number of cases of the repudiation of said electronically processed document reasons within a predetermined term concerning the past results of authorization registered in the database.(Column 15, lines 56-67; column 16 lines 1-15 also Column 139, lines 55-67, column 140 lines 1-10)

Claims 4,8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abbruzzese et al., (US Patent No 5,557,515). In view of Gerace, (US Patent 5,848,396).

As per claim 4,

Abbruzzese et al ('515) discloses an electronically authorizing device according to claim 2.

Abbruzzese et al ('515) does not explicitly disclose "a ratio during a predetermined term in the form of a chart concerning the past results of registered in the database" Gerace ('396) discloses "a ratio during a predetermined term in the form of a chart concerning the past results registered in the database". (Abstract) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Abbruzzese et al ('515) system with the Gerace ('396) system in order allow the behavioral profiling of end users.

Examiner notes that the Abbruzzese et al ('515) reference discloses the features of "a ratio of repudiated reasons" .. and detailing specific elements characteristic of the past results of authorization".

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Claims 8 and 12 are in parallel with claim 4 and are rejected for at least the same reasons

*Allowable Subject Matter*

Claims 13-14 and 16 are allowed.

*Conclusion*

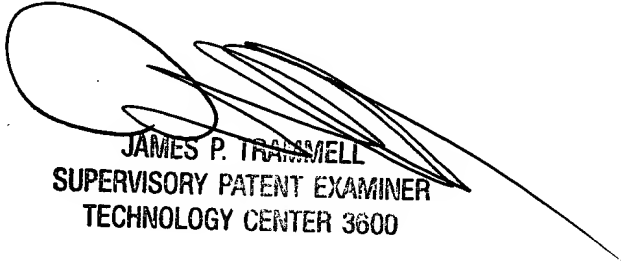
Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (763) 872-9306 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JMW  
October 16, 2003



JAMES P. TRAMMELL  
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